



## Senate

General Assembly

January Session, 2001

**File No. 514**

Senate Bill No. 546

*Senate, April 30, 2001*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

### **AN ACT CONCERNING CASE PLANNING INFORMATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 10-233k of the general statutes is repealed and the following  
2 is substituted in lieu thereof:

3 If the Department of Children and Families believes, in good faith,  
4 that there is a risk of imminent personal injury to the person or other  
5 individuals from a child in its custody who has been adjudicated a  
6 serious juvenile offender, the department shall notify the  
7 superintendent of schools for the school district in which such child  
8 may be returning to attend school or was attending prior to the  
9 adjudication of such determination, prior to the child's return. The  
10 superintendent of schools shall notify the principal at the school the  
11 child will be attending that the child is potentially dangerous. The  
12 principal may disclose such information only to special services staff  
13 or a consultant, such as a psychiatrist, psychologist or social worker,  
14 for the purpose of assessing the risk of danger posed by such child to

15 himself, other students, school employees or school property and  
16 effectuating an appropriate modification of such child's educational  
17 plan or placement and for disciplinary reasons. The Department of  
18 Children and Families and the Judicial Department shall provide to the  
19 superintendent of schools the educational records of a child seeking to  
20 enter or return to a school district from a juvenile detention center, the  
21 Connecticut Juvenile Training School, or any other residential  
22 placement, prior to the child's entry or return. The superintendent of  
23 schools shall provide such information to the principal at the school  
24 the child will be attending. The principal may disclose such  
25 information to appropriate staff as is necessary to the education or care  
26 of the child.

**KID**            *Joint Favorable C/R*

ED

**ED**            *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** See Explanation Below

**Affected Agencies:** Department of Children and Families, Judicial Department

**Municipal Impact:** None

**Explanation****State Impact:**

The bill requires the Judicial Department and the Department of Children and Families (DCF) to provide the superintendent of schools in the district receiving a client discharged from a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, with the youth's education records prior to the child's entry or return to school.

The ability of each agency to fully comply with this requirement is uncertain. In many instances, the child's current education records do not reside with DCF or the Judicial Department at the time of discharge, but instead remain with the responsible local education authority (LEA). This would be most likely to occur in cases involving 1) youth in detention, who may experience very short lengths of stay, or 2) children placed by DCF in private residential facilities who are not under the oversight of Unified School District (USD) II. (Only non-nexus children in private facilities who require special education

services are assigned to USD II.) Neither the bill nor current law require a nexus LEA to provide a child's education records to DCF or the Judicial Department prior to discharge.

The agencies will be able to provide current education records in their possession. This would apply to cases involving children being discharged from Long Lane School, the Connecticut Juvenile Training School and non-nexus special education children in private residential treatment facilities, as well as certain children in detention. Any resulting costs are anticipated to be minimal and can be accommodated within the agency's respective anticipated budgetary resources. An estimated 3,000 records would be transmitted by the Judicial Department annually.

***Municipal Impact:***

It is anticipated that local and regional school districts can comply with the bill's provisions within their normally budgeted resources.

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**OLR Bill Analysis**

SB 546

**AN ACT CONCERNING CASE PLANNING INFORMATION.****SUMMARY:**

This bill requires the Department of Children and Families (DCF) and the Judicial Department to provide school superintendents with the educational records of any child entering or returning to school from placement in a juvenile detention school, the Connecticut Juvenile Training School, or any other residential placement. The agencies must do this before the child returns to or enters school. The bill requires the superintendent to provide the records to the principal of the school the child will attend. The principal can disclose them to those staff who teach or care for the child.

By law DCF must notify a superintendent before a serious juvenile offender is returned to school from its custody if the department believes the child may pose an imminent risk of physical harm to others. The superintendent must notify the school principal who can disclose this information to selected professionals in order to assess the risk the child poses.

EFFECTIVE DATE: October 1, 2001

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Change of Reference

Yea 12      Nay 0

Education Committee

Joint Favorable Report

Yea 32      Nay 0

